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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 IN RE OPTICAL DISK DRIVE PRODUCTS
19 ANTITRUST LITIGATION

No. 3:10-md-2143 RS

[PROPOSED] FINAL JUDGMENT OF
DISMISSAL WITH PREJUDICE AS TO
PIONEER DEFENDANT FAMILY

22 This Document Relates to:
23 ALL INDIRECT PURCHASER ACTIONS

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28 DATE ACTION FILED: Oct. 27, 2009

1 This matter came before the Court to determine whether to finally approve the settlement
 2 with Defendants Pioneer Corporation; Pioneer North America, Inc.; Pioneer Electronics (USA) Inc.;
 3 and Pioneer High Fidelity Taiwan Co., Ltd. (collectively “Pioneer”) set forth in the Settlement
 4 Agreement (“Agreement”), dated March 1, 2017, relating to the above-captioned litigation. The
 5 Court, after carefully considering all papers filed and proceedings held herein and otherwise being
 6 fully informed in the premises, has determined (1) that the settlement should be approved, and (2)
 7 that there is no just reason to delay the entry of this Final Judgment approving this Agreement.
 8 Accordingly, the Court directs entry of Judgment which shall constitute a final adjudication of this
 9 case on the merits in accordance with the terms of the Agreement. Good cause appearing therefor, it
 10 is:

11 **ORDERED, ADJUDGED AND DECREED THAT:**

12 1. The Court has jurisdiction over the subject matter of the Action and over all parties to
 13 the Agreement, including all members of the Class.

14 2. The definitions of terms set forth in the Agreement are incorporated hereby as though
 15 fully set forth in this Judgment.

16 3. The Court has granted final approval and confirmed the settlement set forth in the
 17 Agreement and found that said settlement is, in all respects, fair, reasonable and adequate to the
 18 Class pursuant to Rule 23 of the Federal Rules of Civil Procedure.

19 4. Pursuant to Federal Rules of Civil Procedure 23(g), Hagens Berman Sobol Shapiro
 20 LLP has been appointed as counsel for the Class. This firm has and will fairly and competently
 21 represent the interests of the Class.

22 5. The persons/entities identified in Exhibit 6 to the Declaration of Alan Vasquez, filed
 23 on July 28, 2017, have validly requested exclusion from the Class and, therefore, are excluded. Such
 24 persons/entities are not included in or bound by this Final Judgment. Such persons/entities are not
 25 entitled to any recovery of the settlement proceeds obtained through the Pioneer Settlement
 26 Agreement.

1 6. This Court hereby dismisses on the merits and with prejudice the Action, with each
2 party to bear its own costs and attorneys' fees except as otherwise described in the Settlement
3 Agreement.

4 7. All persons and entities who are Releasors are hereby barred and enjoined from
5 commencing, prosecuting or continuing, either directly or indirectly, against the Releasees, in this or
6 any other jurisdiction, any and all claims, causes of action or lawsuits, which they had, have, or in
7 the future may have, arising out of or related to any of the Released Claims as defined in the
8 Agreement.

9 8. The Releasees are hereby and forever released and discharged with respect to any and
10 all claims or causes of action which the Releasors had or have arising out of or related to any of the
11 Released Claims as defined in the Agreement.

12 9. Without affecting the finality of this Judgment in any way, this Court hereby retains
13 continuing jurisdiction over: (a) implementation of this settlement and any distribution to Class
14 Members pursuant to further orders of this Court; (b) disposition of the Settlement Fund; (c) hearing
15 and determining any future applications by plaintiffs' counsel for attorneys' fees, costs, expenses,
16 and interest; (d) the Action until the Final Judgment contemplated hereby has become effective and
17 each and every act agreed to be performed by the parties all have been performed pursuant to the
18 Agreement; (e) hearing and ruling on any matters relating to the plan of allocation of settlement
19 proceeds; and (f) all parties to the Action and Releasors, for the purpose of enforcing and
20 administering the Agreement and the mutual releases and other documents contemplated by, or
21 executed in connection with the Agreement.

22 10. The Court finds, pursuant to Rules 54(a) and (b) of the Federal Rules of Civil
23 Procedure, that this Final Judgment should be entered and further finds that there is no just reason for
24 delay in the entry of this Judgment, as a Final Judgment, as to the parties to the Agreement.
25 Accordingly, the Clerk is hereby directed to enter Judgment forthwith.

1 **IT IS SO ORDERED.**
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HONORABLE RICHARD SEEBORG